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SIPDIS

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WHITE HOUSE FOR COUNCIL ON ENVIRONMENTAL QUALITY

E.O. 12958: N/A

TAGS: SENV TBIO ETRD CA

SUBJECT: Canadian Invasive Species Plan due soon, USG and
GoC need to meet now

Ref: (A) Ottawa 00481 Notal

Summary and Action Request

¶1. Officials of Environment Canada and the Department of Fisheries and Oceans expect a public rollout of a draft framework for managing Alien Invasive Species in autumn 2003. There may not be much meat on the bones of the draft strategy, and a year of consultations and further drafting will be required before the framework takes its final form. On the other hand, existing law and regulation does provide significant scope for action and the GoC intends to focus on achieving near-term results within the existing statutory and funding framework. These GoC interlocutors have set a high priority on establishing a shared "binational" set of priorities for dealing with Alien Invasive Species and would like to meet with American counterparts very soon (perhaps as early as late August), to begin to establish a strategy that will work for both governments. Post strongly supports this initiative and recommends that Washington agencies enter into a more intensive dialogue as soon as possible. Beginning that dialogue now will allow the U.S. to influence development of the Canadian draft framework and lay a foundation for more detailed work once pending legislation in the U.S has been adopted. End Summary and Action Request.

Background

¶2. The GoC made a pledge in 1992, when it signed the United Nations Convention on Biological Diversity (CBD), to prevent and/or control Alien Invasive Species. The problem, however, according to the Commissioner of Environment and Sustainable Development (part of the GoC Auditor General's organization), is that this commitment (and the 1995 Canadian Biodiversity Strategy it precipitated) have not triggered any concrete action. In an October 2002 report, the Commissioner of the Environment and Sustainable Development characterized federal government efforts to deal with the Alien Invasive Species (AIS) issue as being in disarray, with "no clear understanding of who will do what to respond" and noting that "no federal department sees the big picture or has overarching authority to ensure that federal priorities are established and action taken." Nevertheless, Canada indicated in its second national report to the CBD in 2002, that "federal, provincial and territorial governments have agreed that the development of a Canadian strategy to address alien invasive species is a national priority."

¶3. Embassy ESTH Counselor, ESTH Specialist and Intern met with representatives from Environment Canada and the Department of Fisheries and Oceans on July 30th to discuss progress in the Canadian effort to develop a national strategy, to discuss the extent of bilateral cooperation on AIS and to elicit GoC views on how to foster further integration of Canada-U.S. efforts, including their views of a potential reference to the IJC.

EC and DFO Officials acknowledge slow start - but plan is coming

14. Emboffs met Robert Mclean, Acting Director General, Conservation Strategies Directorate, Environment Canada along with George Enei, Director, Conservation Priorities and Planning Branch, and Mark Hovorka, Scientific Advisor in that Branch. Sylvain Paradis, Director of the DFO Environmental Science Group, represented the Department of Fisheries and Oceans.

15. McLean, who led the discussion for the Canadian side, acknowledged the long lag between the commitment made in the CBD and mid-September 2003 when a targeted action plan, the "National Invasive Species Management and Policy Framework" as it is tentatively referred to, will be outlined for federal, provincial and territorial ministers. McLean anticipates that the Framework will be unveiled in a public rollout as a "White Paper" (i.e., draft public policy) in autumn 2003 shortly after the briefing to ministers. This will be followed by a period of seeking stakeholder and broad public comment and a final, official, Policy Framework in place around autumn 2004.

16. McLean underscored that although the Framework is still under construction, the priorities contained in the nascent plan reflect the views of the provincial, territorial and federal ministers responsible for the environment, for forests and for fisheries. Obtaining consensus for the priorities was facilitated by the fact that the provincial and federal ministers in each of the three domains meet annually in Coordinating Councils, and since 2001 the three Councils have held a joint meeting on biodiversity. The one major set of ministries that has been missing from the joint meetings on biodiversity has been Agriculture. McLean did not elaborate on why the Agriculture ministries were not part of that process (there is indeed a Joint federal-provincial Council of Ministers of Agriculture who clearly could have participated in the biodiversity meetings), but indicated they are a major player that needs to be engaged in the national framework process. Even at this late stage, however, there is much work still to be done. For example, it is not clear to GoC officials, what form the political governance structure will take, it may or may not emulate the U.S. National Invasive Species Council.

17. In this same vein, the GoC has not yet done an assessment on the need for new statutory instruments. McLean noted that there are a number of existing statutes and regulations, both federal and provincial that can be employed to address the AIS threat (to be reported septel). Moreover, he contends that in order to demonstrate to the senior political and bureaucratic leaders in the Prime Minister's Office and Privy Council Office that the objectives of the Invasive Species Framework are credible and "deliverable" it will be imperative that GoC agencies make progress employing the existing mandates and agency programs to address high profile invasive species problems (such as Asian Carp) in the near term.

18. McLean also noted that in addition to the ministerial level engagement, federal-provincial working level groups are engaged in the development of the plan. Given the division of powers in Canada between the federal and provincial orders of government (to be reported septel), McLean highlighted the high degree of challenge in producing a coordinated set of actions with respect to AIS. As just one example, provinces are responsible for management of fish stocks whereas the federal government has jurisdiction in regulating and managing fish habitat. Thus banning possession of live Asian Carp (an emerging federal objective) will require enacting provincial law and regulation.

19. Our GoC interlocutors emphasized that the message from the provinces is that the federal government should focus on policies for prevention rather than dealing with remediation and already established AIS. For many established invasive pest species (excluding perhaps Sea Lampreys in the Great Lakes, for which a comprehensive plan and funding has been in place for decades) our GoC interlocutors noted that there is no clear road ahead and that it will probably be the provinces that have to lead this effort. Comment: The provinces will, however, be looking to the federal government to help fund their efforts at remediation. End Comment.

10. McLean commented that if GoC agencies can produce tangible success in the near-term on AIS, the issue is well-situated to gain a higher profile in the GoC as a new Prime Minister takes over the government in February 2004, perhaps even earlier. And an election is widely expected in the spring. Comment: It can be safely assumed that there will be many competing priorities for the attention, and the budget, of the new government. Without a formal policy

statement of the priorities of Paul Martin, widely anticipated to be the next PM, it is difficult to judge whether McLean's hope is justified. Indeed, a review of Martin's public statements over the past year has not revealed any reference to Alien Invasive Species. End Comment.

Bilateral cooperation requires much greater coordination

¶11. McLean noted that there has been long-standing bilateral cooperation on AIS, for example with respect to the Sea Lamprey problem in the Great lakes, and more generally, on AIS important to agriculture and forestry. But cooperation has typically been ad hoc, species and project specific, agency-to-agency and regional in focus rather than as a coordinated overall approach guided by a shared bilateral set of priorities. McLean and Enei noted the desire of the EC Assistant Deputy Minister (Karen Brown) responsible for AIS that those senior officials responsible for AIS policy should meet very soon to begin working on a set of shared bi-national priorities. The outcomes of this meeting (or series of meetings) could feed into our bilateral consultations on a reference to the IJC, should the U.S and Canadian governments deem that mandate desirable.

¶12. With respect to the expected IJC reference, GoC officials emphasize that clear and tangible goals for the IJC effort are required. In their opinion "new money" for the IJC effort will not be allocated from the Treasury, rather an IJC effort will likely be funded from existing departmental budgets. Without a clear, tangible and "value-added" goal, GoC agencies will resist ponying up the cash.

¶13. Mclean agreed with ESTH Counselor's suggestion that it would be beneficial to have a catalogue/inventory of existing collaborative efforts on AIS, but the GoC representatives admitted that they have not compiled any such inventory. They indicated it is something they intend to construct, but gave no timeline. Comment: Post strongly believes that an inventory of areas in which the two governments already collaborate would be very valuable and would appreciate receiving such information if it already exists with Washington agencies. End comment.

IJC Views provide their comment of GoC effort

¶14. ESTH staff sought the views of the International Joint Commission to provide an assessment of developments in Canada. James Houston, Environmental Advisor at the Ottawa office of the International Joint Commission (IJC) told Emboffs that political awareness of the Invasive Species issue has grown markedly in the past 18 to 24 months; he pointed to the role that Canadian IJC Co-Chair Herb Gray has played since coming to the IJC in January 2002 to champion GoC engagement in addressing the problem. Houston reiterated that the key problem in Canada has been lack of accountability. Over the past decade GoC ministries have simply passed the buck on AIS, he emphasized that a critical component therefore of any new framework is to have a strong governance system. Houston pointed to the management structure described by the New Zealand Biodiversity Strategy of February 2000 as an example of what might work, but he noted that Chairman Gray is an advocate of the American NISC governance model.

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¶15. The key message provided by our GoC interlocutors is that they view it as essential for USG and GoC senior officials responsible for AIS to meet very soon to begin crafting a shared set of priorities. More generally a bilateral meeting will also help our GoC interlocutors to flesh out the draft Framework and give us a chance to influence its development. The Autumn 2003 timeline for unveiling the draft Framework (as a policy White Paper) to the public for input and comment may well be met, but it remains to be seen how substantive it may actually be. According to McLean (1) the federal and provincial agriculture ministries have not been engaged in the development of the draft plan; (2) no assessment has yet been done to determine whether any new statutory instruments are required; and (3) the governance structure to oversee the implementation of the plan, a critical element, is still undetermined. Our GoC interlocutors did not explicitly state this, but one presumes they believe that the public consultation process and final drafting scheduled for the period Autumn 2003 to Autumn 2004 will fill in these details.

16. ACTION REQUEST: We understand that McLean or Enei expects very soon to arrange with Lori Williams, Executive Director of the National Invasive Species Council setting a meeting of GoC and USG policy officials with AIS responsibilities. We understand that the target date for the meeting is late August or early September. Post would appreciate details of the meeting agenda and USG participants once those are available. The embassy intends to be fully engaged on this issue and wishes to contribute to the bilateral effort. In that vein, we believe that an inventory of collaboration between U.S and Canada Ian agencies would be useful and request that the department provide such information if it is available.

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